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Security Council

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Letter dated 24 May 2000 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you herewith the communiqué issued today by the office of the current Chairman of the Organization of African Unity concerning the conflict between Ethiopia and Eritrea (see annex).

I should be grateful if you would have the text circulated to the members of the Security Council and issued as a Security Council document.

(*Signed*) Abdallah **Baali**
Ambassador
Permanent Representative

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Annex to the letter dated 24 May 2000 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council

Communiqué from the office of the Chairman of the Organization of African Unity (OAU) concerning the conflict between Ethiopia and Eritrea

Algiers, 24 May 2000

On Wednesday, the office of the Chairman of the Organization of African Unity (OAU) issued the following communiqué concerning the mission of Mr. Ahmed Ouyahia, Special Envoy of the current Chairman of OAU, carried out from 21 to 24 May in Addis Ababa and Asmara:

On the initiative of Mr. Abdelaziz Bouteflika, President of the People's Democratic Republic of Algeria and current Chairman of OAU, a delegation of the pan-African organization led by Mr. Ahmed Ouyahia, Special Envoy of the current Chairman, visited Addis Ababa and Asmara from 21 to 24 May 2000.

This mission forms part of the intensive efforts which are being made by the current Chairman, particularly since the adjournment of the proximity talks at Algiers and the resumption of armed confrontations between Ethiopia and Eritrea; these efforts are aimed at bringing about an immediate end to the fighting and the rapid return of the two parties to the negotiating table with a view to finalizing the consolidated technical arrangements and, hence, implementing the Framework Agreement and the Modalities for the peaceful and final settlement of the territorial dispute between the two parties.

At Addis Ababa, the OAU delegation was received by Mr. Meles Zenaoui, Prime Minister of Ethiopia. At Asmara, since the Head of State was absent from the capital, the delegation met a delegation of senior Eritrean officials headed by Mr. Haile Woldensde, Minister for Foreign Affairs, and also including the principal private secretary and advisers of the President of Eritrea. Moreover, throughout the mission, the Special Envoy maintained close coordination with Mr. Salim Ahmed Salim, Secretary-General of OAU.

With each of the two parties, the Special Envoy emphatically reiterated the appeal of the current Chairman for an immediate end to the fighting and a rapid resumption of the proximity talks.

The Special Envoy stressed that this appeal is supported by the entire international community, including the United Nations Security Council.

Eritrea declared its readiness to respond immediately and favourably to the two points contained in the appeal of the current Chairman of OAU, namely an immediate halt to the fighting and the resumption of the proximity talks.

Ethiopia, for its part, declares that it is willing to resume the proximity talks immediately, but considers that the fighting cannot be halted before the territorial status quo as of 6 May 1998 is restored.

At the same time, and beyond this fundamental disagreement, the delegation noted that:

1. Ethiopia solemnly declares that it has no territorial designs over Eritrea;

2. Each of the two parties declares its continued support for the Framework Agreement and the Modalities which they accepted, and which were unanimously endorsed by the OAU summit meeting held at Algiers in July 1999;

3. Each of the two parties proclaims its commitment to redeploy its troops on the line of 6 May 1998, in accordance with the modalities they have mutually accepted;

4. Lastly, each of the two parties undertakes to resolve the territorial dispute with the other party on the basis of the relevant colonial treaties and applicable international law, through delimitation and demarcation, with the assistance of the United Nations Cartographic Unit and, if necessary, through recourse to arbitration.

In the face of this situation, OAU deeply regrets that its call for an immediate end to the fighting has not

yet found the fully favourable response that is necessary, although the elements required for a peaceful, just and final settlement of this conflict, and in particular the underlying border dispute, have already been defined by the pan-African organization, accepted by the two parties, and endorsed by the entire international community.

At the same time, OAU expresses its deep concern about the thousands of deaths already caused by the resumption of armed clashes on 12 May, which constitute an appalling toll, along with the suffering and displacement of hundreds of thousands of innocent civilian victims of this fratricidal conflict. Moreover, the continuation of this armed conflict is likely to undermine the stability and security of the entire subregion.

It is for this reason that OAU once again renews its urgent appeal for an immediate end to the fighting and the resumption of peace negotiations.

Moreover, and with a view to initiating the de-escalation of the conflict and bringing it to an end:

(a) First, OAU calls upon Ethiopia and Eritrea to proceed immediately to redeploy their respective forces to the points which they controlled on 6 May 1998, in accordance with paragraphs 1 and 2 of the Modalities and without prejudice to the final status of the territories concerned, which will be determined at the conclusion of the delimitation and demarcation process.

(b) Second, and to this end, OAU calls upon Eritrea to announce immediately its decision to undertake this redeployment in accordance with paragraph 1 of the Modalities and to put it into effect without delay.

(c) Third, and in the same spirit, OAU calls upon Ethiopia to announce, immediately after Eritrea, its decision to redeploy its forces in accordance with paragraph 2 of the Modalities, on the understanding that this redeployment must include all the points taken since 6 February 1999 which were not under Ethiopian control before 6 May 1998.

(d) Fourth, OAU takes note of the statement of Ethiopia that it has no designs on the territory of Eritrea and calls upon Ethiopia to reaffirm this publicly and officially.

(e) Fifth, OAU takes note of the commitment of Ethiopia and Eritrea to implement the Framework Agreement and the Modalities which they have jointly accepted and, in particular, to resolve their border dispute in accordance with the above-mentioned documents.

(f) Sixth, OAU takes note of the willingness of the two parties to finalize rapidly the consolidated technical arrangements, and then to sign the Framework Agreement, the Modalities and the consolidated technical arrangements to establish a formal cessation of hostilities and to implement faithfully all the three documents constituting the plan for the peaceful and final settlement of the dispute between them.

(g) Seventh, on behalf of the current Chairman of OAU, the Special Envoy requests the two parties to send their delegations to Algiers to resume the proximity talks immediately after the publication of the declarations of each of the two parties as announced in paragraphs 2 and 3 above.

OAU hopes that this appeal will be heeded by each of the two parties and that wisdom will prevail in the interests of the two fraternal and neighbouring peoples. It also hopes that the international community will support this step aimed at silencing the guns in this violent conflict and opening the way to the full application of the peace plan which was drawn up by OAU and accepted by the two parties and enjoys the support of the entire international community.

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Identical letters dated 23 May 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a position paper by the Organization of the Islamic Conference concerning the issue of the Kuwaiti and third-country prisoners and missing persons in Iraq.

The position paper describes the efforts that have been made by OIC over the past nine years in seeking to resolve this humanitarian issue.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mansour Ayyad Sh. A. **Al-Otaibi**
Chargé d'affaires a.i.

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Annex to the identical letters dated 23 May 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General and to the President of the Security Council

Position paper by the Organization of the Islamic Conference concerning the issue of the Kuwaiti and third-country prisoners and missing persons in Iraq

Motivated by its concern over the past nine years at the issue of the Kuwaiti and third-country prisoners and missing persons in Iraq, the Organization of the Islamic Conference (OIC) is continuing the efforts it has been making through available channels with the parties concerned with a view to a speedy resolution that will allow those affected to return to their own countries and will bring a definitive end to this long-standing humanitarian issue.

OIC, which has had the deepest sympathy with the Kuwaiti and other prisoners and missing persons in Iraq, has launched appeal after appeal for the resolution of this issue so as to close the dossier and promote confidence-building among the countries of the region.

Since he assumed office at the beginning of 1997, the Secretary-General of OIC has accorded this matter his special attention and has called for sustained action to remedy the consequences of Iraq's invasion of Kuwait, foremost among them the matter of the Kuwaiti prisoners and missing persons.

In the context of his concern, the Secretary-General has missed no opportunity to call for the release of the Kuwaiti prisoners and detainees and for the mitigation of the suffering of the people of Iraq. This has been abundantly evident in the numerous announcements, statements and addresses he has made on frequent occasions, as reflected in many different Secretariat documents.

All of the final communiqués and decisions adopted by successive ministerial conferences and their subsequent coordination meetings have included specific sections calling for the return of the Kuwaiti prisoners and missing persons to their homeland and their families. It should be noted that most of the resolutions in question were drafted in coordination with representatives of Kuwait before being submitted to OIC meetings for adoption.

Mr. Vorontsov, the High-level Coordinator for the repatriation of Kuwaiti prisoners and missing persons in Iraq and the return of Kuwaiti property seized at the time of the invasion of Kuwait, recently visited the Secretary-General at the seat of the Secretariat. The Secretary-General assured him of full support and cooperation in connection with his mandate and pledged that the Secretariat would maintain close contact with him in the framework of ongoing cooperation between OIC and the United Nations in an endeavour to achieve a positive outcome to the issue of the prisoners. He informed Mr. Vorontsov that he was fully prepared to continue his efforts and indeed to appoint a special representative of OIC to monitor this humanitarian issue should he be asked to do so.

In keeping with the teachings of Islam, which require that a spirit of brotherhood, peace and solidarity should encompass all Muslims, and pursuant to the provisions of the OIC Charter, when the issue first arose with Iraq's invasion of

Kuwait on 8 August 1990 OIC immediately adopted an unequivocal position and hastened to demand an end to military operations and the withdrawal of the invading forces to the internationally recognized Kuwait-Iraq boundaries.

The nineteenth Islamic Conference of Foreign Ministers, which was held in Cairo two days after the invasion began, lost no time in adopting on 4 August 1990 a special communiqué in which it condemned Iraq's aggression against Kuwait and demanded the immediate withdrawal of the invading forces from Kuwaiti territory and compliance with the principles of the OIC Charter.

The twentieth Islamic Conference of Foreign Ministers, held in Istanbul in August 1991, was the first OIC meeting to address the matter of the Kuwaiti prisoners and missing persons directly. In paragraph 43 [i.e. 28] of its final communiqué, it condemned "the procrastination of the Iraqi authorities regarding the implementation of the resolutions concerning the release of Kuwaiti citizens and other detainees in Iraq and called upon the Iraqi authorities for their immediate release" [A/46/486-S/23055, annex I].

Since the invasion, Kuwait has thus received the full support and backing of OIC. It is perhaps this fact that prompted His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, the Amir of Kuwait, to commend the position taken by OIC in his address to the Sixth Islamic Summit, held in Dakar in 1991. This is a commendation of which the Organization is proud.

OIC pays careful attention to the efforts that continue to be made by the Amir, Government and people of Kuwait and, in their support, by the international community as represented by the United Nations, OIC and the other international and regional organizations concerned. It looks forward to these efforts bringing the desired conclusion to a humanitarian issue that has long troubled the Organization and, God willing, an outcome that can as soon as possible enable family members of the Kuwaiti prisoners and missing persons to smile again.